

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short Title. This Act may be cited as the
5 Supreme Court Historic Preservation Act.

6 Section 5. Definitions. For the purpose of this Act:

7 "Commission" means the Supreme Court Historic Preservation
8 Commission.

9 "Court" means the Illinois Supreme Court.

10 Section 10. Supreme Court Historic Preservation
11 Commission; creation; commissioners; appointments; terms;
12 compensation.

13 (a) The Supreme Court Historic Preservation Commission is
14 created within the Judicial Branch of State government.

15 (b) The Commission consists of 9 commissioners as follows:

16 (1) the Administrative Director of the Illinois Courts
17 shall serve as a commissioner ex officio;

18 (2) Two commissioners appointed by the Court, one of
19 whom shall be designated as the chairperson of the
20 Commission upon appointment;

21 (3) Two commissioners appointed by the Governor;

22 (4) Two commissioners appointed by the President of the

1 Senate, one of whom may not belong to the same political
2 party as the President; and

3 (5) Two commissioners appointed by the Speaker of the
4 House of Representatives, one of whom may not belong to the
5 same political party as the Speaker.

6 (c) The terms of the initial appointed commissioners shall
7 commence upon qualification. Each appointing authority shall
8 designate one appointee to serve for a 2-year term running
9 through June 30, 2009, and each appointing authority shall
10 designate one appointee to serve for a 4-year term running
11 through June 30, 2011. The commissioner designated as the
12 chairperson by the Court must be appointed for a 4-year term.
13 The initial appointments must be made within 60 days after the
14 effective date of this Act.

15 (d) After the initial terms, commissioners shall serve for
16 4-year terms commencing on July 1 of the year of appointment
17 and running through June 30 of the 4th following year.
18 Commissioners may be reappointed to one or more subsequent
19 terms.

20 (e) Vacancies occurring other than at the end of a term
21 shall be filled by the appointing authority only for the
22 balance of the term of the commissioner whose office is vacant.

23 (f) Terms shall run regardless of whether the position is
24 filled.

25 (g) The members of the Commission shall receive no
26 compensation for their service, except for their actual

1 expenses while in the discharge of their official duties.

2 Section 15. Commission policy, powers, and duties. The
3 Commission shall assist and advise the Court in regard to the
4 acquisition, collection, documentation, preservation,
5 cataloging, and related matters with respect to historic
6 aspects of buildings, objects, artifacts, documents, and
7 information, regardless of form, relating to the Illinois
8 judiciary.

9 Section 20. Supreme Court Historic Preservation Fund.

10 (a) The Supreme Court Historic Preservation Fund is created
11 as a special fund in the State treasury. Subject to
12 appropriation, the moneys in the Fund shall be used only by the
13 Commission as deemed appropriate for historic preservation and
14 related purposes, including the hiring of necessary staff.

15 (b) All moneys received by the Commission, including
16 without limitation, grants, gifts, donations, bequests, fees,
17 admissions, sales, and concessions, from any source, including
18 private, public, governmental, and individual, must be
19 deposited into the Fund. All interest that is attributable to
20 moneys in the Fund must be deposited into the Fund.

21 (c) On July 1, 2007, or as soon thereafter as may be
22 practical, the State Treasurer shall transfer the amount of
23 \$5,000,000 from the General Revenue Fund to the Supreme Court
24 Historic Preservation Fund.

1 Section 25. Annual report. The Commission shall provide a
2 report of its fiscal and programmatic activities to the Court,
3 the Governor, and the General Assembly, on or before January
4 31, 2009, and annually thereafter.

5 Section 90. The State Finance Act is amended by adding
6 Section 5.675 and by changing Section 8h as follows:

7 (30 ILCS 105/5.675 new)

8 Sec. 5.675. The Supreme Court Historic Preservation Fund.

9 (30 ILCS 105/8h)

10 Sec. 8h. Transfers to General Revenue Fund.

11 (a) Except as otherwise provided in this Section and
12 Section 8n of this Act, and ~~(e), (d), or (e)~~, notwithstanding
13 any other State law to the contrary, the Governor may, through
14 June 30, 2007, from time to time direct the State Treasurer and
15 Comptroller to transfer a specified sum from any fund held by
16 the State Treasurer to the General Revenue Fund in order to
17 help defray the State's operating costs for the fiscal year.
18 The total transfer under this Section from any fund in any
19 fiscal year shall not exceed the lesser of (i) 8% of the
20 revenues to be deposited into the fund during that fiscal year
21 or (ii) an amount that leaves a remaining fund balance of 25%
22 of the July 1 fund balance of that fiscal year. In fiscal year

1 2005 only, prior to calculating the July 1, 2004 final
2 balances, the Governor may calculate and direct the State
3 Treasurer with the Comptroller to transfer additional amounts
4 determined by applying the formula authorized in Public Act
5 93-839 to the funds balances on July 1, 2003. No transfer may
6 be made from a fund under this Section that would have the
7 effect of reducing the available balance in the fund to an
8 amount less than the amount remaining unexpended and unreserved
9 from the total appropriation from that fund estimated to be
10 expended for that fiscal year. This Section does not apply to
11 any funds that are restricted by federal law to a specific use,
12 to any funds in the Motor Fuel Tax Fund, the Intercity
13 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
14 Provider Relief Fund, the Teacher Health Insurance Security
15 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
16 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
17 the Lawyers' Assistance Program Fund, the Supreme Court Federal
18 Projects Fund, the Supreme Court Special State Projects Fund,
19 the Supplemental Low-Income Energy Assistance Fund, the Good
20 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
21 Facility Development and Operation Fund, the Horse Racing
22 Equity Trust Fund, or the Hospital Basic Services Preservation
23 Fund, or to any funds to which subsection (f) of Section 20-40
24 of the Nursing and Advanced Practice Nursing Act applies. No
25 transfers may be made under this Section from the Pet
26 Population Control Fund. Notwithstanding any other provision

1 of this Section, for fiscal year 2004, the total transfer under
2 this Section from the Road Fund or the State Construction
3 Account Fund shall not exceed the lesser of (i) 5% of the
4 revenues to be deposited into the fund during that fiscal year
5 or (ii) 25% of the beginning balance in the fund. For fiscal
6 year 2005 through fiscal year 2007, no amounts may be
7 transferred under this Section from the Road Fund, the State
8 Construction Account Fund, the Criminal Justice Information
9 Systems Trust Fund, the Wireless Service Emergency Fund, or the
10 Mandatory Arbitration Fund.

11 In determining the available balance in a fund, the
12 Governor may include receipts, transfers into the fund, and
13 other resources anticipated to be available in the fund in that
14 fiscal year.

15 The State Treasurer and Comptroller shall transfer the
16 amounts designated under this Section as soon as may be
17 practicable after receiving the direction to transfer from the
18 Governor.

19 (a-5) Transfers directed to be made under this Section on
20 or before February 28, 2006 that are still pending on May 19,
21 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
22 ~~Act of the 94th General Assembly~~ shall be redirected as
23 provided in Section 8n of this Act.

24 (b) This Section does not apply to: (i) the Ticket For The
25 Cure Fund; (ii) any fund established under the Community Senior
26 Services and Resources Act; or (iii) on or after January 1,

1 2006 (the effective date of Public Act 94-511), the Child Labor
2 and Day and Temporary Labor Enforcement Fund.

3 (c) This Section does not apply to the Demutualization
4 Trust Fund established under the Uniform Disposition of
5 Unclaimed Property Act.

6 (d) This Section does not apply to moneys set aside in the
7 Illinois State Podiatric Disciplinary Fund for podiatric
8 scholarships and residency programs under the Podiatric
9 Scholarship and Residency Act.

10 (e) Subsection (a) does not apply to, and no transfer may
11 be made under this Section from, the Pension Stabilization
12 Fund.

13 (f) This Section does not apply to the Supreme Court
14 Historic Preservation Fund.

15 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
16 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
17 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
18 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
19 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,
20 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
21 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
22 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
23 eff. 6-6-06; revised 6-19-06.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.